

1 BARRY J. PORTMAN  
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4 Counsel for Defendant SHIVERS  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,

13 v.

14 DAVID SHIVERS,

15  
16 Defendant.  
17

)  
) No. CR 07-00346 SBA

)  
) STIPULATION AND ORDER  
) MODIFYING CONDITIONS OF  
) PRETRIAL RELEASE

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the conditions of  
19 pretrial release for David Shivers may be modified to allow Mr. Shivers to leave the half-way house  
20 on Friday, July 13, 2007, at 8:30 a.m. and return to the half-way house on July 13, 2007, no later  
21 than 5:30 p.m., with the prior approval of pretrial services, so that he can attend the funeral of his  
22 uncle, David O'Brien, who died last week. The funeral will be held at Acts Gospel Church, located  
23 1034 66<sup>th</sup> Avenue, Oakland, California, at 11:00 a.m. followed by a procession to the cemetery  
24 located at 4100 Hilltop Drive in Richmond, California. United States Pretrial Services Officer  
25 Victoria Gibson has been notified and has no objection to this request.  
26

1 DATED: July 12, 2007

2 \_\_\_\_\_  
JOYCE LEAVITT /S/  
Assistant Federal Public Defender

3 DATED: July 12, 2007

4 \_\_\_\_\_  
DEREK BUTTS /S/  
Special Assistant United States Attorney

6 SIGNATURE ATTESTATION

7 I hereby attest that I have on file all holograph signatures indicated by a "conformed"  
8 signature ("/S/") within this efiled document.

9 **ORDER**

10  
11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the conditions of pretrial  
12 release for David Shivers may be modified to allow Mr. Shivers to leave the half-way house on  
13 Friday, July 13, 2007, at 8:30 a.m. and return to the half-way house on July 13, 2007, no later than  
14 5:30 p.m., with the prior approval of pretrial services, so that he can attend the funeral of his uncle  
15 who died last week. The funeral will be held at Acts Gospel Church, located 1034 66<sup>th</sup> Avenue,  
16 Oakland, California, at 11:00 a.m. followed by a procession to the cemetery located at 4100 Hilltop  
17 Drive in Richmond, California.  
18

19 All other conditions of release shall remain the same.

20 SO ORDERED.

21  
22 DATED: July 12, 2007

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WAYNE D. BRAZIL  
United States Magistrate Judge